

REMARKS

Claims 3-4 and 12-13 are pending in this application. Claims 4 and 13 are canceled by amendments in this response leaving claims 3 and 12 pending.

The Scott, et al. (U.S. Patent 6,484,260) Reference

The Scott reference discloses a portable personal identification device that includes a biometric sensing system and processing unit that is capable of transmitting a verification signal to a host system if the device user is an enrolled person. Such verification signal being indicative of the enrolled person or of the device.

Significantly in Scott a verification signal is transmitted to a host system only if the biometric signal of the device user corresponds to the biometric data stored in the device. Scott clearly does not teach "audit log storage," as claimed in both claims 3 and 12.

Furthermore Scott does not teach "authorization profile storage," also claimed, as a part of the biometric passkey device. Scott is limited to biometric identification only.

The Rejection of Claim 3

Claim 3 has been rejected under 35 U.S.C. 102(e) as being anticipated by Scott. Applicants believe, as also mentioned in the Office Action, that Scott does not explicitly disclose a device comprising "authorization profile storage," which may include permissible functions, transactions and remote computer system allowance, or, alone or in combination, "audit log storage." Thus Scott cannot anticipate claim 3.

The biometric passkey device as claimed includes both an "authorization profile storage," and an "audit log storage. An "authorization profile" as used by the applicant comprises such information such as permissible dates, times, functions, transactions, and remote computer systems allowed to be accessed by the user in addition to the biometric information stored in a data base integral with the biometric passkey.

The Rejection of Claim 12

Claim 12 has been rejected under 35 U.S.C. 102(e) as being anticipated by Scott.

As discussed above with respect to claim 3, applicants believe that Scott does not explicitly disclose a device comprising "authorization profile storage," which may include permissible functions, transactions and remote computer system allowance, or, alone or in combination, "audit log storage." Thus Scott cannot anticipate claim 12.

The Rejection of Claims 4 and 13

These two claims have been rejected under 35 USC 103(a) using Scott as a primary reference. With regard to claim 4 Der Ghazarian et al. was combined with Scott. This combination was discussed in the previous prosecution of the application where it was argued that the combination was not effective in making claim 4 obvious. Further discussion is not necessary here as claim 4 has been canceled to speed this application to issuance by focusing on Scott as it applies to amended claim 4.

Similarly, claim 13 has been canceled herein. Scott was combined with Bapat (U.S. Patent 6,484,260) and used Bapat to teach authorization profile storage in Fig. 9 and Col. 16, lines 32-53 and Col. 17, lines 5-11. However the Bapat teaching, it is believed, is directed to access of tables that make up event logs not to the authorization profile storage as presently claimed in amended claim 12. However, the rejection of claim 13 is moot as this claim has been canceled so that this application can move quickly to allowance.

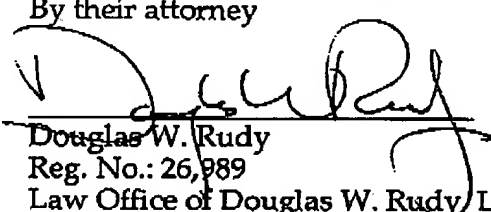
The Applicants' appreciate the work of the Examiner and would further appreciate the careful consideration of the presented amendments and these remarks. If the Examiner agrees with the Applicants then allowance of the claims is requested. Further, if the Examiner can suggest language that would make the claims not subject to rejection, based on the Applicant's remarks, the Applicants would appreciate such input and would welcome an Examiner's amendment to get this case to issuance. If the Examiner has any comments or questions, please feel free to contact applicants' attorney at 480-361-5676.

Respectfully submitted,
D. J. Kinsella and R. W. Fisk
By their attorney

Dated: July 21, 2006

CERTIFICATION OF FACSIMILE TRANSMISSION
I hereby certify that this paper and the documents referred to as being attached herewith are being sent by facsimile transmission to the United States Patent and Trademark Office central facsimile number (571.273.8300) on July 21, 2006.

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